(7) (1)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

Misc. Appeal No. 957 Of 2006 **Single Bench**

APPELLANT : RESPONDANT

K.L.Katakwar S/o Resham Lal Katakwar, aged about 40 years, Kendriya Resham Tasar Kendra Lakha, Post Box No. 15 Raigarh, District Raigarh (CG).

P.R. No. 12/11/06
Presented by Shri V.K.R. Rao
dated 27/4/06

VERSUS

RESPONDENTS : CLAIMANT

1. Mohanmati Wd/o Jug Lal Chouhan, aged about 43 years, occupation dependent, resident of Village Padigaon, Thana Tamnar Tahsil Gharghoda , District Raigarh (CG).

DRIVER OF SCOOTER N.A. NO. 1 27.4.06

2. Sukhi Ram S/o Chetan Khadiya , occupation cultivation and labourer , resident of Village Vijaypur, Tahsil and District Raigarh (CG).

DRIVER OF Scooter N.A. 3 27.04.06

3. Gandhi Lal Dewangan S/o Meghram Dewangan, resident of Tarpali, Raigarh, Tahsil and District Raigarh (CG).

MEMORANDUM OF MISC APPEAL UNDER SECTION 173 OF MOTOR VEHICLES ACT

(33)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.A.957/06 **सन्** '200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

07/09/2006

Shri Y.V. Raman Rao, learned counsel for the appellant.

Heard on M.C.P.No. 1304/2006 for condonation of delay in filing the appeal as it has been filed with the delay of 24 days.

For the reasons stated in the application it is allowed and the delay of 24 days in filing the appeal is condoned.

This appeal is directed against an interim award passed by the Claims Tribunal under Section 140 of the Motor Vehicles Act by which a sum of Rs. 50,000/- has been awarded as interim compensation to the claimant and the liability has been fastened on the appellant as he happens to be the registered owner of the vehicle. The ground taken by the appellant in the memo of appeal is that though he is recorded as registered owner of the vehicle, he has sold the same to one Gandhilal Dewangan (respondent No. 3 herein) and since the accident was caused by Sukhiram, Court below was not justified in fastening the liability upon the appellant.

After hearing learned counsel for the appellant and perusing the material available on record, I am of the opinion that this appeal has no merit and the same is liable to be dismissed and it is accordingly dismissed.

Sd/-
Dhirendra Mishra
Judge

P.T.O.